GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA

UNSTARRED QUESTION NO:1006
ANSWERED ON:22.11.2016
No Objection Certificate
Singh Shri Ganesh

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether "No Objection Certificate" from the Ministry of Environment, Forest and Climate Change is required to be obtained after the allotment of coal and mineral blocks; and
(b) if so, the number of "No Objection Certificates" pending/under consideration in respect of coal and mineral blocks in Madhya Pradesh?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE

(SHRI ANIL MADHAV DAVE)

(a) The Ministry does not provide / issue "No Objection Certificate" after the allotment of Coal and mineral blocks.

However, in case the coal block or mineral block exists in forest area, mandatory clearances under the Forest (Conservation) Act, 1980 and/or Environment (Protection) Act, 1986 are to be taken before execution of lease and commencement of any coal or mineral mining if FC and EC has not been granted for the Coal/Mineral Block.

In case transfer of lease on forestland from one user agency to another for the same purpose for which the forestland was diverted becomes necessary, prior permission of the Central Government is required. For this purpose, the State Government and the original user agency is required to submit no-objection certificate for such transfer and the new user agency has to submit an undertaking that they shall abide by all the conditions on which the forest land was leased to the original user agency and any other condition which may be stipulated by the Central Government/State Government in future.

Further in the case of the coal blocks cancelled by the orders of the Hon''ble Supreme Court vide judgment dated 25 th August, 2014 in WP (C) No 120 of 2012 in the matter of Mohan Lal Sharma versus Union of India & Ors, and subsequently as per the provisions of Coal Mines (Special Provisions) Act, 2015, no objection certificate from original user agency for such transfer is not required to be obtained and in such cases the Ministry of Coal is only required to submit details of new user agency along with other mandatory undertakings.

(b) Does not arise.

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